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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: DA VINCI SURGICAL
ROBOT ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:
ALL ACTIONS

Case No.: 3:21-cv- 03825-AMO-LB

**[PROPOSED] ORDER RE: PARTIES'
MOTIONS TO SEAL**

Judge: The Honorable Araceli Martínez-Olguín

1 In response to the Court's August 21, 2023 Order (ECF No. 209), the Parties submit this
 2 proposed order with a consolidated chart of all documents or portions of documents that a Party or Third
 3 Party have sought to maintain under seal pursuant to Local Rule 79-5.

4 This Court, having considered Parties and Third-Parties' Administrative Motions to Seal,
 5 Motions to Consider Sealing Third-Party Materials, Statements in Support of Sealing, Declarations in
 6 Support of Sealing, and associated exhibits, at ECF 125, 128, 129, 130, 132, 134, 135, 137, 138, 139,
 7 143, 150, 152, 155, 165, 168, 170, 171, 179, 180, 182, 186, 187, finds that compelling reasons exist to
 8 support the filing under seal of the documents or portions thereof listed as "granted" in the following
 9 chart and grants the requests to seal these documents or portions thereof where they appear on the public
 10 docket. The Court denies the request to seal any documents or portions thereof (1) listed as "denied" in
 11 the following chart or (2) provisionally filed under seal pursuant to Local Rule 79-5(f) because a Party
 12 or Third-Party had designated them as confidential or highly confidential under the protective order but
 13 that were not included in the below chart because no Party or Third-Party filed a statement or
 14 declaration seeking to maintain them under seal pursuant to Local Rule 79-5(f).

Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed ¹	Evidence offered in Support of Sealing	Objections	Ruling
ECF No. 125-2; 125-3 Exhibit A - Bass Declaration in Support of the Motion to Exclude Einer Elhauge, Exhibit 1 (Expert Report of Einer Elhauge) • Page 14, redacted fn. 55	ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 5 ECF No. 125 Administrative Motion to File Under Seal Materials from Daubert Motions, pg. 1-3		

27 ¹ The docket numbers listed refer to the under seal version of the document at issue that was submitted
 28 in unredacted form for the Court's review.

Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
ECF No. 125-4 Exhibit B - Chaput Declaration in Support of the Motion to Exclude Dr. T. Kim Parnell, Ex. 8 (Howe 1/18/23 Larkin Rpt) <ul style="list-style-type: none">• Page 28, Figure 6	ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 6 ECF No. 125 Administrative Motion to File Under Seal Materials from Daubert Motions, pg. 1-3		
ECF No. 125-4 Exhibit B - Chaput Declaration in Support of the Motion to Exclude Dr. T. Kim Parnell, Ex. 8 (Howe 1/18/23 Larkin Rpt) <ul style="list-style-type: none">• Page 36, Figure 9	ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 6 ECF No. 125 Administrative Motion to File Under Seal Materials from Daubert Motions, pg. 1-3		
ECF No. 125-4 Exhibit B - Chaput Declaration in Support of the Motion to Exclude Dr. T. Kim Parnell, Ex. 8 (Howe 1/18/23 Larkin Rpt) <ul style="list-style-type: none">• Page 37, Figure 10	ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 6 ECF No. 125 Administrative Motion to File Under Seal Materials from Daubert Motions, pg. 1-3		
ECF No. 125-4 Exhibit B - Chaput Declaration in Support of the Motion to Exclude Dr. T. Kim Parnell, Ex. 8 (Howe 1/18/23 Larkin Rpt) <ul style="list-style-type: none">• Page 84, Figure 20	ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 6 ECF No. 125 Administrative Motion to File Under Seal Materials from Daubert Motions, pg. 1-3		

Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
ECF No. 125-4 Exhibit B - Chaput Declaration in Support of the Motion to Exclude Dr. T. Kim Parnell, Ex. 8 (Howe 1/18/23 Larkin Rpt) <ul style="list-style-type: none">• Page 88, Figure 21	ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 6 ECF No. 125 Administrative Motion to File Under Seal Materials from Daubert Motions, pg. 1-3		
ECF No. 125-4 Exhibit B - Chaput Declaration in Support of the Motion to Exclude Dr. T. Kim Parnell, Ex. 8 (Howe 1/18/23 Larkin Rpt) <ul style="list-style-type: none">• Page 89, redacted portions of ¶ 174	ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 6 ECF No. 125 Administrative Motion to File Under Seal Materials from Daubert Motions, pg. 1-3		
ECF No. 125-5 Exhibit C - Chaput Declaration in Support of the Motion to Exclude Dr. T. Kim Parnell, Ex. 9 (Howe 1/18/23 SIS Rpt) <ul style="list-style-type: none">• Page 29, Figure 6	ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 6 ECF No. 125 Administrative Motion to File Under Seal Materials from Daubert Motions, pg. 1-3		

Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
ECF No. 125-5 Exhibit C - Chaput Declaration in Support of the Motion to Exclude Dr. T. Kim Parnell, Ex. 9 (Howe 1/18/23 <i>SIS Rpt</i>) <ul style="list-style-type: none">• Page 37, Figure 9	ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 6 ECF No. 125 Administrative Motion to File Under Seal Materials from Daubert Motions, pg. 1-3		
ECF No. 125-5 Exhibit C - Chaput Declaration in Support of the Motion to Exclude Dr. T. Kim Parnell, Ex. 9 (Howe 1/18/23 <i>SIS Rpt</i>) <ul style="list-style-type: none">• Page 38, Figure 10	ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 6 ECF No. 125 Administrative Motion to File Under Seal Materials from Daubert Motions, pg. 1-3		
ECF No. 125-6 Exhibit D - Lannin Declaration in Support of the Motion to Exclude Dr. Eugene Rubach, Ex. 4 (Excerpts from (Howe 1/18/23 <i>Larkin Rpt</i>) <ul style="list-style-type: none">• Page 28, Figure 6• Page 36, Figure 9• Page 37, Figure 10	ECF No. 125-1 Wong Declaration in Support of Motion to Seal, ¶ 6 ECF No. 125 Administrative Motion to File Under Seal Materials from Daubert Motions, pg. 1-3		

Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
ECF No. 143-2; 143-15 Exhibit 1, Plaintiffs' Administrative Motion to Consider • Page 14, redacted fn. 55	ECF No. 143-1 Declaration of Dr. Jaime Wong in Support of Defendant Intuitive Surgical's Statement in Support of Plaintiffs' Administrative Motions to Consider Whether Another Party's Materials Should be Sealed ("Wong Declaration in Support of Statement to Consider Sealing"), ¶ 4 ECF No. 143 Intuitive's Statement in Support of Plaintiffs' Administrative Motion to Consider Whether Another Party's Materials Should be Sealed, pg. 1-3		
ECF No. 143-3; 143-16 Exhibit 12 (Intuitive-00067540 – Intuitive-00067547), Plaintiffs' Administrative Motion to Consider • Page Intuitive-00067547, redacted portion	ECF No. 143-1 Wong Declaration in Support of Statement to Consider Sealing, ¶ 6 ECF No. 143 Intuitive's Statement in Support of Plaintiffs' Administrative Motion to Consider Whether Another Party's Materials Should be Sealed, pg. 1-2, 4-5		

Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed ¹	Evidence offered in Support of Sealing	Objections	Ruling
ECF No. 143-4; 143-17 Exhibit 42 (Intuitive-00029174), Plaintiffs' Administrative Motion to Consider <ul style="list-style-type: none"> • Page Intuitive-00029174, redacted portions. 	ECF No. 143-1 Wong Declaration in Support of Statement to Consider Sealing, ¶ 4 ECF No. 143 Intuitive's Statement in Support of Plaintiffs' Administrative Motion to Consider Whether Another Party's Materials Should be Sealed, pg. 1-3		
ECF No. 143-5; 143-18 Exhibit 44 (Intuitive-00552697 – Intuitive-00552715), Plaintiffs' Administrative Motion to Consider <ul style="list-style-type: none"> • Pages Intuitive-00552706 – Intuitive-00552715, redacted portions 	ECF No. 143-1 Wong Declaration in Support of Statement to Consider Sealing, ¶ 5 ECF No. 143 Intuitive's Statement in Support of Plaintiffs' Administrative Motion to Consider Whether Another Party's Materials Should be Sealed, pg. 1-4		
ECF No. 143-6; 143-19 Exhibit 48 (Intuitive-01235518 – Intuitive-01235542), Plaintiffs' Administrative Motion to Consider <ul style="list-style-type: none"> • Pages Intuitive-01235528 – Intuitive-01235533, redacted portions. • Pages Intuitive-01235535 – Intuitive-01235542, redacted portions. 	ECF No. 143-1 Wong Declaration in Support of Statement to Consider Sealing, ¶ 6 ECF No. 143 Intuitive's Statement in Support of Plaintiffs' Administrative Motion to Consider Whether Another Party's Materials Should be Sealed, pg. 1-2, 4-5		

<p>ECF No. 143-7; 143-20</p> <p>Exhibit 68 (Intuitive-00560277 – Intuitive-00560390), Plaintiffs' Administrative Motion to Consider</p> <p>Pages containing redacted information:</p> <ul style="list-style-type: none"> • Intuitive-00560281 • Intuitive-00560282 • Intuitive-00560291 • Intuitive-00560292 • Intuitive-00560293 • Intuitive-00560294 • Intuitive-00560295 • Intuitive-00560296 • Intuitive-00560297 • Intuitive-00560298 • Intuitive-00560299 • Intuitive-00560300 • Intuitive-00560301 • Intuitive-00560302 • Intuitive-00560303 • Intuitive-00560304 • Intuitive-00560305 • Intuitive-00560306 • Intuitive-00560307 • Intuitive-00560308 • Intuitive-00560309 • Intuitive-00560310 • Intuitive-00560311 • Intuitive-00560312 • Intuitive-00560313 • Intuitive-00560314 • Intuitive-00560315 • Intuitive-00560316 • Intuitive-00560317 • Intuitive-00560318 • Intuitive-00560320 • Intuitive-00560321 • Intuitive-00560322 • Intuitive-00560323 • Intuitive-00560324 • Intuitive-00560325 • Intuitive-00560326 	<p>ECF No. 143-1</p> <p>Wong Declaration in Support of Statement to Consider Sealing, ¶¶ 4, 6</p> <p>ECF No. 143</p> <p>Intuitive's Statement in Support of Plaintiffs' Administrative Motion to Consider Whether Another Party's Materials Should be Sealed, pg. 1-5</p>		
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Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<ul style="list-style-type: none"> • Intuitive-00560327 • Intuitive-00560330 – Intuitive-00560332 • Intuitive-00560335 – Intuitive-00560338 • Intuitive-00560343 – Intuitive-00560344 • Intuitive-00560346 • Intuitive-00560350 – Intuitive-00560351 • Intuitive-00560356 • Intuitive-00560358 – Intuitive-00560362 • Intuitive-00560365 – Intuitive-00560369 • Intuitive-00560371 – Intuitive-00560378 • Intuitive-00560386 – Intuitive-00560387 • Intuitive-00560389 – Intuitive-00560390 			
ECF No. 143-8; 143-21 Exhibit 69 (Intuitive-00366044 – Intuitive-00366053), Plaintiffs' Administrative Motion to Consider <ul style="list-style-type: none"> • Pages Intuitive-00366046 – Intuitive-00366047, redacted portions. • Pages Intuitive-00366051 – Intuitive-00366052, redacted portions. 	ECF No. 143-1 Wong Declaration in Support of Statement to Consider Sealing, ¶ 4 ECF No. 143 Intuitive's Statement in Support of Plaintiffs' Administrative Motion to Consider Whether Another Party's Materials Should be Sealed, pg. 1-3		

Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed ¹	Evidence offered in Support of Sealing	Objections	Ruling
ECF No. 143-9; 143-22 Exhibit 73 (Intuitive-00519980 – Intuitive-00520005), Plaintiffs’ Administrative Motion to Consider • Pages Intuitive-00520001 – Intuitive-00520002, redacted portions.	ECF No. 143-1 Wong Declaration in Support of Statement to Consider Sealing, ¶ 4 ECF No. 143 Intuitive’s Statement in Support of Plaintiffs’ Administrative Motion to Consider Whether Another Party’s Materials Should be Sealed, pg. 1-3		
ECF No. 143-10; 143-23 Exhibit 76 (Intuitive-00203904 – Intuitive-00203906), Plaintiffs’ Administrative Motion to Consider • Pages Intuitive-00203904 – Intuitive-00203905, redacted portions	ECF No. 143-1 Wong Declaration in Support of Statement to Consider Sealing, ¶ 6 ECF No. 143 Intuitive’s Statement in Support of Plaintiffs’ Administrative Motion to Consider Whether Another Party’s Materials Should be Sealed, pg. 1-2, 4-5		
ECF No. 143-11; 143-24 Exhibit 90 (Intuitive-00552716 – Intuitive-00552727), Plaintiffs’ Administrative Motion to Consider • Pages Intuitive-00552723 – Intuitive-00552727, redacted portions.	ECF No. 143-1 Wong Declaration in Support of Statement to Consider Sealing, ¶ 5 ECF No. 143 Intuitive’s Statement in Support of Plaintiffs’ Administrative Motion to Consider Whether Another Party’s Materials Should be Sealed, pg. 1-4		

Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed ¹	Evidence offered in Support of Sealing	Objections	Ruling
ECF No. 143-12; 143-25 Exhibit 93 (Intuitive-02038766 – Intuitive-02038770), Plaintiffs’ Administrative Motion to Consider <ul style="list-style-type: none"> • Page Intuitive-02038767, redacted portions. • Page Intuitive-02038768, redacted portions. 	ECF No. 143-1 Wong Declaration in Support of Statement to Consider Sealing, ¶¶ 4, 5 ECF No. 143 Intuitive’s Statement in Support of Plaintiffs’ Administrative Motion to Consider Whether Another Party’s Materials Should be Sealed, pg. 1-4		
ECF No. 143-13; 143-26 Exhibit 96 (Intuitive-00552728 – Intuitive-00552743), Plaintiffs’ Administrative Motion to Consider <ul style="list-style-type: none"> • Pages Intuitive-00552735 – Intuitive-00552741 and Intuitive-00552743, redacted portions. 	ECF No. 143-1 Wong Declaration in Support of Statement to Consider Sealing, ¶ 5 ECF No. 143 Intuitive’s Statement in Support of Plaintiffs’ Administrative Motion to Consider Whether Another Party’s Materials Should be Sealed, pg. 1-4		
ECF No. 143-14; 143-27 Exhibit 97 (Intuitive-01265649 – Intuitive-01265809), Plaintiffs’ Administrative Motion to Consider Pages containing redacted information: <ul style="list-style-type: none"> • Intuitive-01265652 – Intuitive-01265655 • Intuitive-01265657 – Intuitive-01265675 	ECF No. 143-1 Wong Declaration in Support of Statement to Consider Sealing, ¶ 6 ECF No. 143 Intuitive’s Statement in Support of Plaintiffs’ Administrative Motion to Consider Whether Another Party’s Materials Should be Sealed, pg. 2-3, 5-6		

Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<ul style="list-style-type: none"> • Intuitive-01265677 – Intuitive-01265740 • Intuitive-01265742 – Intuitive-01265756 • Intuitive-01265759 – Intuitive-01265774 • Intuitive-01265776 – Intuitive-01265779 • Intuitive-01265781 – Intuitive-01265787 • Intuitive-01265789 • Intuitive-01265792 • • Intuitive-01265794 – Intuitive-01265809 			
ECF No. 152.2 Declaration of Kathryn E. Cahoy in Support of Intuitive's Opposition to Plaintiffs' Motion for Summary Judgment and Cross-Motion for Summary Judgment Ex. 3 (Howe 1/18/23 <i>Larkin</i> Rpt) <ul style="list-style-type: none"> • Page 28, Figure 6 • Page 36, Figure 9 • Page 37, Figure 10 • Page 84, Figure 20 • Page 88, Figure 21 • Page 89, redacted portions of ¶ 174 	ECF No. 152-1 Declaration of Dr. Jaime Wong in Support of Intuitive Surgical's Administrative Motions to Seal Materials From Its Summary Judgment Briefs, ¶ 6 ECF No. 152 Intuitive's Administrative Motion to Seal Materials From its Opposition to Plaintiffs' Motion for Summary Judgment and Cross Motion for Summary Judgment, pg. 1-2		

Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
ECF No. 168-2 Bateman Ex. 8 ISO Plaintiffs' Opposition to Intuitive's Motion to Exclude Testimony of Einer Elhauge - Deposition of Nickola "Nicky" Goodson (October 27, 2022) <ul style="list-style-type: none"> • Pages 183-184, redacted portions. 	ECF No. 168-1 Declaration of Dr. Jaime Wong in Support of Intuitive Surgical, Inc.'s Statement in Support of Plaintiffs' April 20, 2023 Administrative Motions to Consider Whether Another Party's Materials Should Be Sealed ("Wong Decl."), ¶ 4 ECF No. 168 Intuitive's Statement in Support of Plaintiffs' April 20, 2023 Administrative Motion to Consider Whether Another Party's Materials Should be Sealed, pg. 1-3		
ECF No. 125-2; 125-3 Bateman Ex. 1 ISO Plaintiffs' Opposition to Intuitive's Motion to Exclude Testimony of Einer Elhauge - Corrected Expert Report of Professor Einer Elhauge (January 10, 2023) <ul style="list-style-type: none"> • Page 14, redacted fn. 55 	ECF No. 168-1 Wong Decl. ¶ 4 ECF No. 168 Intuitive's Statement in Support of Plaintiffs' April 20, 2023 Administrative Motion to Consider Whether Another Party's Materials Should be Sealed, pg. 1-3 (See Dkt. 125-2; Dkt. 125-7 at 1.)		

Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
ECF No. 143-12 McCuaig Ex. 15 ISO of Plaintiffs' Opposition to Intuitive's Motion to Exclude Kimberly Trautman's Testimony - Intuitive-02038766 • Pages Intuitive-02038767–68, redacted portions.	ECF No. 168-1 Wong Decl. ¶ 4 ECF No. 168 Intuitive's Statement in Support of Plaintiffs' April 20, 2023 Administrative Motion to Consider Whether Another Party's Materials Should be Sealed, pg. 1-3 (See Dkt. 143-26; Dkt. 143-29 at 4–5)		
ECF No. 143-11 Spector Ex. 8 ISO Plaintiffs' Opposition to Defendant's Motion to Exclude Testimony of Dr. Eugene Rubach - Intuitive-00552716 – Intuitive-00552727, NFJ for IS4000 8mm Needle Drivers • Pages Intuitive-00552723 – Intuitive-00552727, redacted portions.	ECF No. 168-1 Wong Decl. ¶ 5 ECF No. 168 Intuitive's Statement in Support of Plaintiffs' April 20, 2023 Administrative Motion to Consider Whether Another Party's Materials Should be Sealed, pg. 1-4 (See Dkt. 143-25; Dkt. 143-29 at 4)		
ECF No. 168-3 McCuaig Ex. 12 ISO of Plaintiffs' Opposition to Intuitive's Motion to Exclude Kimberly Trautman's Testimony - Intuitive-00493612 • Page Intuitive-00493619, redacted portions. • Page Intuitive-00493623, redacted portion.	ECF No. 168-1 Wong Decl. ¶ 5 ECF No. 168 Intuitive's Statement in Support of Plaintiffs' April 20, 2023 Administrative Motion to Consider Whether Another Party's Materials Should be Sealed, pg. 1-4		

Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
<ul style="list-style-type: none"> • Page Intuitive-00493625, redacted portions. • Page Intuitive-00493630, redacted portions. • Page Intuitive-00493633, redacted portions. 			
ECF No. 143-3 McCuaig Ex. 9 ISO of Plaintiffs' Opposition to Intuitive's Motion to Exclude Kimberly Trautman's Testimony - Intuitive-00067540 -SLSA <ul style="list-style-type: none"> • Page Intuitive-00067547, redacted portion 	ECF No. 168-1 Wong Decl. ¶ 6 ECF No. 168 Intuitive's Statement in Support of Plaintiffs' April 20, 2023 Administrative Motion to Consider Whether Another Party's Materials Should be Sealed, pg. 1-2, 4 <i>(See Dkt. 143-17; Dkt. 143-29 at 1)</i>		
ECF No. 180-2 Spector Decl., Ex. 102 (Intuitive-02056740-Intuitive-02056761) Pages containing redacted information: <ul style="list-style-type: none"> • Intuitive-02057644-Intuitive-02057646 • Intuitive-02057649 • Intuitive-02057651 	ECF No. 180-1 Declaration of Dr. Jaime Wong in Support of Intuitive Surgical, Inc.'s Statement in Support of Plaintiffs' May 4, 2023 Administrative Motions to Consider Whether Another Party's Materials Should Be Sealed ("Wong Dec."), Wong Dec. ¶ 6. ECF No. 180 Intuitive's Statement in Support of Plaintiffs'		

Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
	May 4, 2023 Administrative Motion to Consider Whether Another Party's Materials Should be Sealed, pg. 1-4		
ECF No. 180-3 Spector Decl., Ex. 123 (Intuitive-00493612-Intuitive-00493670) Pages containing redacted information: <ul style="list-style-type: none">• Intuitive-00493619• Intuitive-00493623• Intuitive-00493625• Intuitive-00493630• Intuitive-00493633	ECF No. 180-1 Wong Dec. ¶ 6 ECF No. 180 Intuitive's Statement in Support of Plaintiffs' May 4, 2023 Administrative Motion to Consider Whether Another Party's Materials Should be Sealed, pg. 1-4		
ECF No. 180-4 Spector Decl., Exhibit 130 – Restore Settlement (Intuitive-02072151 –Intuitive-02072157) • Page Intuitive-02072153, redacted portions	ECF No. 180-1 Wong Dec. ¶ 7 ECF No. 180 Intuitive's Statement in Support of Plaintiffs' May 4, 2023 Administrative Motion to Consider Whether Another Party's Materials Should be Sealed, pg. 1-3, 4		

Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
ECF No. 180-5 Spector Decl., Exhibit 131 – Rebotix Settlement (Intuitive-02070399 –Intuitive-02070405) • Pages Intuitive-2070401- Intuitive-02070402, redacted portions	ECF No. 180-1 Wong Dec. ¶ 7 ECF No. 180 Intuitive's Statement in Support of Plaintiffs' May 4, 2023 Administrative Motion to Consider Whether Another Party's Materials Should be Sealed, pg. 1-3, 4		
ECF No. 180-6 Spector Decl., Exhibit 146 (Intuitive-00786911 – Intuitive-00786951) • Page Intuitive-00786914, redacted portions. • Page Intuitive-00786919, redacted portions. • Page Intuitive-00786945, redacted portions.	ECF No. 180-1 Wong Dec. ¶ 5 ECF No. 180 Intuitive's Statement in Support of Plaintiffs' May 4, 2023 Administrative Motion to Consider Whether Another Party's Materials Should be Sealed, pg. 1-3		
ECF No. 180-7 Spector Decl., Exhibit 147 (Intuitive-00785382 – Intuitive-00785422) • Page Intuitive-00785417	ECF No. 180-1 Wong Dec. ¶ 5 ECF No. 180 Intuitive's Statement in Support of Plaintiffs' May 4, 2023 Administrative Motion to Consider Whether Another Party's Materials Should be Sealed, pg. 1-3		

Documents or Portions Thereof that Intuitive Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed¹	Evidence offered in Support of Sealing	Objections	Ruling
ECF No. 186-2 Cahoy Supp. Declaration Ex. 90 (Intuitive-00506505 excerpts) <ul style="list-style-type: none">• Pages Intuitive-0506539-42, redacted portions• Pages Intuitive-0506593-94, redacted portions	ECF No. 186-1 Declaration of Dr. Jaime Wong in Support of Intuitive Surgical, Inc.'s Administrative Motion to Seal Materials from its Summary Judgment Reply ("Wong Dec."), Wong Dec. ¶ 4. ECF No. 186 Intuitive's Administrative Motion to Seal Materials From its Summary Judgment Reply, pg. 1-2		

Documents or Portions Thereof that Stryker Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence offered in Support of Sealing	Objections	Ruling
ECF 170-28 Cahoy Dec. Ex. 139 (STRREB00000259-STRREB00000273)	ECF No. 179, pg. 1-8 ECF No. 179-1, 179-2		

Documents or Portions Thereof that Alliance Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence offered in Support of Sealing	Objections	Ruling
ECF No. 139-28 Exhibit 15, Motion to Exclude Testimony of Trautman AHP000527	ECF No. 146		

Documents or Portions Thereof that Alliance Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence offered in Support of Sealing	Objections	Ruling
ECF No. 155-29 Intuitive Cross Motion for Summary Judgment Cahoy Dec. Ex. 41 AHP000527	ECF No. 157		
ECF No. 170-16, 165-9 Rebuttal Expert Report of Dr. T. Kim Parnell March 1, 2023 Appendix B: AHP000527	ECF No. 167		

Documents or Portions Thereof that Rebotix Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence offered in Support of Sealing	Objections	Ruling
ECF 139-7 Expert Report of Robert Howe (01/18/2023) Page 24, ¶ 47	ECF No. 142		
ECF 139-7 Expert Report of Robert Howe (01/18/2023) Page 24, ¶ 47	ECF No. 142		
ECF 139-7 Expert Report of Robert Howe (01/18/2023) Page 25-26, ¶ 48	ECF No. 142		
ECF 139-7 Expert Report of Robert Howe (01/18/2023) Page 26, ¶ 49	ECF No. 142		

Documents or Portions Thereof that Rebotix Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence offered in Support of Sealing	Objections	Ruling
ECF 129-1 Exhibit 18 (REBOTIX174692 - Historical timeline for initial R&D of Benjamin Biomedical and Rebotix) to the Declaration of J. Corrigan in Support of Plaintiffs' Motion Portions of page 1	ECF No. 142		
ECF 129-5 Exhibit 80 (REBOTIX110980) to the Declaration of J. Corrigan in Support of Plaintiffs' Motion Page 1	ECF No. 142		
ECF 129-5 Exhibit 80 (REBOTIX110980) to the Declaration of J. Corrigan in Support of Plaintiffs' Motion Page 2	ECF No. 142		
ECF 153 Opposition of Defendant Intuitive Surgical, Inc. To Plaintiffs' Motion for Summary Judgment and Cross-Motion for Summary Judgment (In re Da Vinci) Page 6	ECF No. 159		

Documents or Portions Thereof that Rebotix Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence offered in Support of Sealing	Objections	Ruling
ECF 153.7 Ex. 1 to Smith Declaration (Smith Amended Rebuttal Report in In re: da Vinci Surgical Robot Antitrust Litigation) Page 37	ECF No. 159		
ECF 153.21 Cahoy Dec. Ex. 14 (REBOTIX100995 - REBOTIX101019) Entire Document	ECF No. 159		
ECF 153.22 Cahoy Dec. Ex. 15 (REBOTIX162404 - REBOTIX162424) Entire Document	ECF No. 159		

Documents or Portions Thereof that Restore Seeks to Maintain Under Seal			
Document or Portion of Document Sought to be Sealed	Evidence Offered in Support of Sealing	Objections	Ruling
Dkt. No. 139-18 Foreman 01/18/2023 Report (SIS) at 44 ¶ 133	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
Dkt. No. 139-18 Foreman 01/18/2023 Report (SIS) at 44 ¶ 134	Dkt. No. 145 Parker Dec. ¶¶ 3-5		

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Dkt. No. 139-18 Foreman 01/18/2023 Report (SIS) at 44 ¶ 135 text only (not footnote)	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-18 Foreman 01/18/2023 Report (SIS) at 44 ¶ 136	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-18 Foreman 01/18/2023 Report (SIS) at 44 ¶ 174	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-18 Foreman 01/18/2023 Report (SIS) at 44 ¶ 223	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-18 Foreman 01/18/2023 Report (SIS) at 44 ¶ 224	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-8 Howe 01/18/2023 Report (SIS) at 8 ¶ 19	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-8 Howe 01/18/2023 Report (SIS) at 23-24 ¶ 46	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-8 Howe 01/18/2023 Report (SIS) at 24 ¶ 47	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-8 Howe 01/18/2023 Report (SIS) at 43 ¶ 75	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-8 Howe 01/18/2023 Report (SIS) at 66 ¶ 125	Dkt. No. 145 Parker Dec. ¶¶ 3-5		

1 2 3	Dkt. No. 139-8 Howe 01/18/2023 Report (SIS) at 66 ¶ 127	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
4 5 6	Dkt. No. 139-8 Howe 01/18/2023 Report (SIS) at 73 ¶ 143	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
7 8 9	Dkt. No. 139-8 Howe 01/18/2023 Report (SIS) at 73 ¶ 144	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
10 11 12	Dkt. No. 139-8 Howe 01/18/2023 Report (SIS) at 73-74 ¶ 145	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
13 14 15	Dkt. No. 139-8 Howe 01/18/2023 Report (SIS) at 74-75 ¶ 147	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
16 17	Dkt. No. 139-8 Howe 01/18/2023 Report (SIS) at 76 ¶ 148	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
18 19 20	Dkt. No. 139-8 Howe 01/18/2023 Report (SIS) at 76-77 ¶ 149	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
21 22	Dkt. No. 139-8 Howe 01/18/2023 Report (SIS) at 77 ¶ 150	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
23 24 25	Dkt. No. 139-8 Howe 01/18/2023 Report (SIS) at 78 ¶ 152	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
26 27	Dkt. No. 139-8 Howe 01/18/2023 Report (SIS) at 78-79 ¶ 153	Dkt. No. 145 Parker Dec. ¶¶ 3-5		

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Dkt. No. 139-8 Howe 01/18/2023 Report (SIS) at 79-80 ¶ 154	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-8 Howe 01/18/2023 Report (SIS) at 80 ¶ 155	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-8 Howe 01/18/2023 Report (SIS) at 81 ¶ 158	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-7 Howe 01/18/2023 Report (Larkin) at 5 ¶ 12 redact first sentence in footnote	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-7 Howe 01/18/2023 Report (Larkin) at 22- 23 ¶ 48	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-7 Howe 01/18/2023 Report (Larkin) at 23 ¶ 49	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-7 Howe 01/18/2023 Report (Larkin) at 42 ¶ 78	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-7 Howe 01/18/2023 Report (Larkin) at 42 ¶ 79	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-7 Howe 01/18/2023 Report (Larkin) at 66 ¶ 128	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-7 Howe 01/18/2023 Report (Larkin) at 71 ¶ 142 redact parenthetical in footnote	Dkt. No. 145 Parker Dec. ¶¶ 3-5 (8:20-8:21) Dkt. No. 146		

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Dkt. No. 139-7 Howe 01/18/2023 Report (Larkin) at 72 ¶ 145	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-7 Howe 01/18/2023 Report (Larkin) at 72 ¶ 146	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-7 Howe 01/18/2023 Report (Larkin) at 72-73 ¶ 147	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-7 Howe 01/18/2023 Report (Larkin) at 73-74 ¶ 149	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-7 Howe 01/18/2023 Report (Larkin) at 75 ¶ 150	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-7 Howe 01/18/2023 Report (Larkin) at 75 ¶ 151	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-7 Howe 01/18/2023 Report (Larkin) at 76 ¶ 152	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-7 Howe 01/18/2023 Report (Larkin) at 77 ¶ 155	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-7 Howe 01/18/2023 Report (Larkin) at 78 ¶ 156	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-7 Howe 01/18/2023 Report (Larkin) at 79 ¶ 157	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-7 Howe 01/18/2023 Report (Larkin) at 95 ¶ 183 redact text only	Dkt. No. 145 Parker Dec. ¶¶ 3-5		

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Dkt. No. 139-7 Howe 01/18/2023 Report (Larkin) at 95 ¶ 184 redact first sentence in footnote only	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-2 Parnell 03/01/2023 Rebuttal Report (Larkin) at 131 ¶ 292	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-2 Parnell 03/01/2023 Rebuttal Report (Larkin) at 131 ¶ 293	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-3 Parnell 03/01/2023 Rebuttal Report (SIS) at 111-12 ¶ 264	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
	Dkt. No. 139-21 Trautman 01/18/2023 Reply Report (Foreman) at 39-40 ¶ 120	Dkt. No. 145 Parker Dec. ¶¶ 3-5 Dkt. No. 146 Berhold Dec. ¶¶ 3-7		
	Dkt. No. 139-21 Trautman 01/18/2023 Reply Report (Foreman) at 40 ¶ 120-122	Dkt. No. 145 Parker Dec. ¶¶ 3-5 Dkt. No. 146 Berhold Dec. ¶¶ 3-7		
	Dkt. No. 139-21 Trautman 01/18/2023 Reply Report (Foreman) at 40-41 ¶ 123	Dkt. No. 145 Parker Dec. ¶¶ 3-5 Dkt. No. 146 Berhold Dec. ¶¶ 3-7		
	Dkt. No. 139-21 Trautman 01/18/2023 Reply Report (Foreman) at 41 ¶ 123-125	Dkt. No. 145 Parker Dec. ¶¶ 3-5 Dkt. No. 146 Berhold Dec. ¶¶ 3-7		

1	Dkt. No. 139-21 Trautman 01/18/2023 Reply Report (Foreman) at 42 ¶ 126	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
2	Dkt. No. 139-21 Trautman 01/18/2023 Reply Report (Foreman) at 42-43 ¶ 129	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
3	Dkt. No. 139-21 Trautman 01/18/2023 Reply Report (Foreman) at 43 ¶ 131-132	Dkt. No. 146 Berhold Dec. ¶¶ 3-7		
4				
5	Dkt. No. 139-21 Trautman 01/18/2023 Reply Report (Foreman) at 43 ¶ 131-132	Dkt. No. 145 Parker Dec. ¶¶ 3-5 (12:4-12:7)		
6				
7	Dkt. No. 139-21 Trautman 01/18/2023 Reply Report (Foreman) at 43 ¶ 133-134	Dkt. No. 145 Parker Dec. ¶¶ 3-5 (12:8-12:11)		
8				
9	Dkt. No. 139-21 Trautman 01/18/2023 Reply Report (Foreman) at 46 ¶ 137, 139	Dkt. No. 145 Parker Dec. ¶¶ 3-5 (12:12-12:13)		
10				
11	Dkt. No. 139-21 Trautman 01/18/2023 Reply Report (Foreman) at 47 ¶ 140	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
12				
13	Dkt. No. 139-21 Trautman 01/18/2023 Reply Report (Foreman) at 47 ¶ 140	Dkt. No. 146 Berhold Dec. ¶¶ 3-7		
14				
15	Dkt. No. 139-21 Trautman 01/18/2023 Reply Report (Foreman) at 56-57 ¶ 172	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
16				
17	Dkt. No. 139-21 Trautman 01/18/2023 Reply Report (Foreman) at 56-57 ¶ 172	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
18				
19	Dkt. No. 139-21 Trautman 01/18/2023 Reply Report (Foreman) at 64 ¶ 203	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
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21	Dkt. No. 139-21 Trautman 01/18/2023 Reply Report (Foreman) at 64 ¶ 203	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
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1 2 3 4	Dkt. No. 139-21 Trautman 01/18/2023 Reply Report (Foreman) at 69 ¶ 220-221	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
5 6 7	Dkt. No. 139-21 Trautman 01/18/2023 Reply Report (Foreman) at 69-70 ¶ 221	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
8 9 10 11	Dkt. No. 139-21 Trautman 01/18/2023 Reply Report (Foreman) at 73-74 ¶ 233	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
12 13	Dkt. No. 139.29 Trautman 03/01/2023 Rebuttal Report at 15 ¶ 30	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
14 15 16	Dkt. No. 139-16 Smith 01/20/2023 Rebuttal Report at 43	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
17 18 19	Dkt. No. 139-16 Smith 01/20/2023 Rebuttal Report at 43 ¶ 53 n.149	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
20 21	Dkt. No. 139-16 Smith 01/20/2023 Rebuttal Report at 140	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
22 23 24	Dkt. No. 139-16 Smith 01/20/2023 Rebuttal Report at 175 ¶ 248 n.639	Dkt. No. 145 Parker Dec. ¶¶ 3-5		
25 26 27	Dkt. No. 150-1 Parker (in Restore) Dep. at 145:16-24	Dkt. No. 144		

1	Dkt. No. 128-2	Dkt. No. 144		
2	Restore-00094918-956 at 928, 930			
3				
4	Dkt. No. 128-2	Dkt. No. 144		
5	Restore-00055935			
6				
7	Dkt. No. 128-2	Dkt. No. 144		
8	Restore-00055937			
9				
10	Dkt. No. 128-2	Dkt. No. 144		
11	Restore-00055938			
12				
13	Dkt. No. 128-2	Dkt. No. 144		
14	Parker (in Restore) Dep. at 204:16-206:2			
15				
16	Dkt. No. 128-2, 165-3	Dkt. No. 144		
17	Restore-00094938-956 at 953-955			
18				
19	Dkt. No. 128-2	Dkt. No. 144		
20	Parker (in Restore) Dep. at 132:7 – 142:12			
21				
22	Dkt. No. 128-2	Dkt. No. 144		
23	Restore-00055937			
24				
25	Dkt. No. 128-2	Dkt. No. 144		
26	Parker (in Restore) Dep. at 53:21-56:2			
27				
28	Dkt. No. 128-2 Parker (in Restore) Dep. at 115:24-116:9	Dkt. No. 144		

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Dkt. No. 128-2 Parker (in Restore) Dep. at 119:19-120:30	Dkt. No. 144	
	Dkt. No. 128-2 Restore-00009348-359 at 355	Dkt. No. 144	
	Dkt. No. 128-2 Restore-00002260-265 at 262	Dkt. No. 144	
	Dkt. No. 128-2 May (in Restore) Dep. at 100:12-102:3	Dkt. No. 144	
	Dkt. No. 128-2 May (in Restore) Dep. at 100:12-102:3	Dkt. No. 144	
	Dkt. No. 128-2 May (in re: da Vinci) Dep. at 100:12-102:3	Dkt. No. 144	
	Dkt. No. 128-3 Clif Parker 5/4/2021 30(b)(6) Dep. (Restore) at 172:2-15	Dkt. No. 144	
	Dkt. No. 128-3, 165-4 Vautrot 5/22/2021 Dep. (Restore), Ex. 4 at Restore-00039124	Dkt. No. 144	
	Dkt. No. 165-4, 128-3 May (in In re: da Vinci) Dep. at 75:16-76:1	Dkt. No. 144	

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Dkt. No. 128-3 Ferreira (in In re: da Vinci) Dep. at 113:13-20	Dkt. No. 144	
	Dkt. No. 128-3 Parker (in In re: da Vinci) Dep. at 30:24-31:2	Dkt. No. 144	
	Dkt. No. 128-3 Parker (in In re: da Vinci) Dep. at 141:14-21	Dkt. No. 144	
	Dkt. No. 150-1, 170-27 Parker (in In re: da Vinci) Dep. at 139:1-140:08; 141:23-142:12	Dkt. No. 144	
	Dkt. No. 128-3 May (in In re: da Vinci) Dep. at 97:5-8	Dkt. No. 144	
	Dkt. No. 128-3 Parker (in Restore) Dep. at 145:16-24	Dkt. No. 144	
	Dkt. No. 165-14 Restore-00112674 at - 683	Dkt. No. 144	
	Dkt. No. 150-1 Plaintiff's Motion for Summary Judgment, Declaration of J. Corrigan, Exhibit 79 Page 139:1-139:12	Dkt. No. 156	

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Dkt. No. 150-1 Exhibit 79 Page 139:13-140:4	Dkt. No. 156	
	Dkt. No. 157-3 Smith Amended Rebuttal Report Pages 41-42	Dkt No. 158	
	Dkt. No. 157-3 Smith Amended Rebuttal Report Page 42	Dkt. No. 158	
	Dkt. No. 157-3 Smith Amended Rebuttal Report Page 43	Dkt. No. 158	
	Dkt. No. 157-3 Smith Amended Rebuttal Report Page 43	Dkt. No. 158	
	Dkt. No. 157-3 Smith Amended Rebuttal Report Page 43	Dkt. No. 158	
	Dkt. No. 157-3 Smith Amended Rebuttal Report Page 43	Dkt. No. 158	

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Dkt. No. 157-3 Smith Amended Rebuttal Report Page 45	Dkt. No. 158	
	Dkt. No. 157-3 Smith Amended Rebuttal Report Page 140	Dkt. No. 158	
	Dkt. No. 155-27 Deposition of Clifton Parker (May 4, 2021) Pages 204-205	Dkt. No. 158	
	Dkt. No. 155-27 Deposition of Clifton Parker (May 4, 2021) Pages 213-216	Dkt. No. 158	
	Dkt. No. 155-54 Deposition of Clifton Parker (October 25, 2022) Pages 31-32	Dkt. No. 158	
	Dkt. No. 153-86 Deposition of Kevin May (November 3, 2022) Page 60	Dkt. No. 158	
	Dkt. No. 155-26 Cahoy Dec. Ex. 38 Restore-00001248 - Restore-00001256 Attached as Ex. 1.	Dkt. No. 158	

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Dkt. No. 155-30 Cahoy Dec. Ex. 42 Restore-00086093 - Restore-00086120 Attached as Ex. 2.	Dkt. No. 158	
	Dkt. No. 170-16, 165-9 Multiple Cites: AHP000527	Dkt No. 166	
	Dkt. No. 128-44, 170-21 Foreman 01/18/2023 Reply Report Page 43 ¶ 131-132 Restore-00086093, at - 6100.	Dkt No. 166	
	Dkt. No. 128-44, 170-21 Foreman 01/18/2023 Reply Report Page 43 ¶ 131-132 Restore-00086093, at - 6096-6100.	Dkt No. 166	
	Dkt. No. 128-44, 170-21 Foreman 01/18/2023 Reply Report Page 44 ¶ 133-134 Restore-00086093, at- 6107–08. May Tr. 17:21- 18:25; 137:23-140:4.	Dkt No. 166	

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Dkt. No. 128-44, 170-21 Foreman 01/18/2023 Reply Report Page 44 ¶ 133-134 Restore-00086093	Dkt No. 166	
	Dkt. No. 128-44 Foreman 01/18/2023 Reply Report Page 56-57 ¶ 172 Restore-00089490, at - 9495, -9498	Dkt No. 166	
	Dkt. No. 128-44 Foreman 01/18/2023 Reply Report Page 69 ¶ 220-221 Restore-00001248, at - 1256.	Dkt No. 166	
	Dkt. No. 128-44 Foreman 01/18/2023 Reply Report Page 69 ¶ 220-221 Restore-00001248, at - 1254	Dkt No. 166	

1 2 3 4 5 6 7	Dkt. No. 165-14 Trautman 03/01/2023 Rebuttal Report Page 15 ¶ 30 Restore-00112674, at - 683 Ferreira Dep. (Nov. 10, 2022) Tr. at 193:16- 195:13.	Dkt No. 166	
8 9 10 11 12 13 14	Dkt. No. 165-3, 128-2 Corrected Expert Report of Professor Einer Elhauge, 1/10/2023 Footnote 114 Parker (in Restore) Dep. at 145:16-24	Dkt No. 166	
15 16 17 18 19 20	Dkt. No. 165-3, 128-2 Corrected Expert Report of Professor Einer Elhauge, 1/10/2023 Footnote 114 Restore-00094918-956 at 928, 930	Dkt No. 166	
21 22 23 24 25 26 27 28	Dkt. No. 165-3, 128-2 Corrected Expert Report of Professor Einer Elhauge, 1/10/2023 Footnote 364 Restore-00055935	Dkt No. 166	

1 2 3 4 5 6	Dkt. No. 165-3, 128-2 Corrected Expert Report of Professor Einer Elhauge, 1/10/2023 Footnote 364 Restore-00055937	Dkt No. 166	
7 8 9 10 11 12	Dkt. No. 165-3, 128-2 Corrected Expert Report of Professor Einer Elhauge, 1/10/2023 Footnote 364 Restore-00055938	Dkt No. 166	
13 14 15 16 17 18	Dkt. No. 165-3, 128-2 Corrected Expert Report of Professor Einer Elhauge, 1/10/2023 Footnote 443 Parker (in Restore) Dep. at 204:16-206:2	Dkt No. 166	
19 20 21 22 23 24 25 26 27 28	Dkt. No. 128-2, 165-3 Corrected Expert Report of Professor Einer Elhauge, 1/10/2023 Footnote 444 Restore-00094938-956 at 953-955	Dkt No. 166	

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Dkt. No. 128-2 Corrected Expert Report of Professor Einer Elhauge, 1/10/2023 Footnote 445 Parker (in Restore) Dep. at 132:7 – 142:12	Dkt No. 166		
	Dkt. No. 165-3, 128-2 Corrected Expert Report of Professor Einer Elhauge, 1/10/2023 Footnote 503 Restore-00055937	Dkt No. 166		
	Dkt. No. 165-3, 128-2 Corrected Expert Report of Professor Einer Elhauge, 1/10/2023 Footnote 547 Restore-00055937	Dkt No. 166		
	Dkt. No. 165-3, 128-2 Corrected Expert Report of Professor Einer Elhauge, 1/10/2023 Footnote 616 Parker (in Restore) Dep. at 53:21-56:2	Dkt No. 166		

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Dkt. No. 165-3, 128-2 Corrected Expert Report of Professor Einer Elhauge, 1/10/2023 Footnote 627 Parker (in Restore) Dep. at 115:24-116:9	Dkt No. 166	
	Dkt. No. 165-3, 128-2 Corrected Expert Report of Professor Einer Elhauge, 1/10/2023 Footnote 645 Parker (in Restore) Dep. at 119:19-120:30	Dkt No. 166	
	Dkt. No. 165-3, 128-2 Corrected Expert Report of Professor Einer Elhauge, 1/10/2023 Footnote 840 Restore-00009348-359 at 355	Dkt No. 166	
	Dkt. No. 165-3, 128-2 Corrected Expert Report of Professor Einer Elhauge, 1/10/2023 Footnote 876 Restore-00002260-265 at 262	Dkt No. 166	

1 2 3 4 5 6	Dkt. No. 165-4, 128-3 Rebuttal Expert Report of Professor Einer Elhauge, 3/3/2023 Footnote 722 May (in Restore) Dep. at 100:12-102:3	Dkt No. 166	
7 8 9 10 11 12	Dkt. No. 165-4, 128-3 Rebuttal Expert Report of Professor Einer Elhauge, 3/3/2023 Footnote 723 May (in Restore) Dep. at 100:12-102:3	Dkt No. 166	
13 14 15 16 17 18	Dkt. No. 165-4, 128-3 Rebuttal Expert Report of Professor Einer Elhauge, 3/3/2023 Footnote 724 May (in re: da Vinci) Dep. at 100:12-102:3	Dkt No. 166	
19 20 21 22 23 24 25 26 27 28	Dkt. No. 165-4, 128-3 Rebuttal Expert Report of Professor Einer Elhauge, 3/3/2023 Footnote 725 Clif Parker 5/4/2021 30(b)(6) Dep. (Restore) at 172:2-15	Dkt No. 166	

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Dkt. No. 165-4, 128-3 Rebuttal Expert Report of Professor Einer Elhauge, 3/3/2023 Footnote 725 Vautrot 5/22/2021 Dep. (Restore), Ex. 4 at Restore-00039124	Dkt No. 166		
	Dkt. No. 165-4, 128-3 Rebuttal Expert Report of Professor Einer Elhauge, 3/3/2023 Footnote 810 May (in In re: da Vinci) Dep. at 75:16-76:1	Dkt No. 166		
	Dkt. No. 165-4, 128-3 Rebuttal Expert Report of Professor Einer Elhauge, 3/3/2023 Footnote 839 Ferreira (in In re: da Vinci) Dep. at 113:13- 20	Dkt No. 166		
	Dkt. No. 165-4, 128-3 Rebuttal Expert Report of Professor Einer Elhauge, 3/3/2023 Footnote 841 Parker (in In re: da Vinci) Dep. at 30:24- 31:2	Dkt No. 166		

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Dkt. No. 165-4, 128-3 Rebuttal Expert Report of Professor Einer Elhauge, 3/3/2023 Footnote 842 Parker (in In re: da Vinci) Dep. at 141:14- 21	Dkt No. 166	
	Dkt. No. 165-4, 128-3 Rebuttal Expert Report of Professor Einer Elhauge, 3/3/2023 Footnote 843 Parker (in In re: da Vinci) Dep. at 139:23- 140:08; 141:23-142:12	Dkt No. 166	
	Dkt. No. 165-4, 128-3 Rebuttal Expert Report of Professor Einer Elhauge, 3/3/2023 Footnote 844 May (in In re: da Vinci) Dep. at 97:5-8	Dkt No. 166	
	Dkt. No. 165-4, 128-3 Rebuttal Expert Report of Professor Einer Elhauge, 3/3/2023 Footnote 897 Parker (in Restore) Dep. at 145:16-24	Dkt No. 166	

1 2 3 4 5 6 7 8 9	Dkt. No. 170-1 Hospital Plaintiff's Brief Plaintiffs' Opposition To Intuitive's Cross-Motion For Summary Judgment And Reply In Support Of Partial Summary Judgment Page 20, lines 17-18 (citing Deposition of Clif Parker (<i>In re da Vinci</i>) at 162:16-25))	Dkt. No. 178	
10 11 12 13 14 15	Dkt. No. 170-16 Hospital Plaintiff's Exhibit 116 Parnell 03/01/2023 Rebuttal Report Page 120 ¶ 268 Restore-00089490, at - 9493	Dkt. No. 178	
16 17 18 19 20 21 22	Dkt. No. 170-16 Hospital Plaintiff's Exhibit 116 Parnell 03/01/2023 Rebuttal Report Page 120 ¶ 269 Restore-00089490, at - 9493	Dkt. No. 178	

1 2 3 4 5 6 7	Dkt. No. 170-16 Hospital Plaintiff's Exhibit 116 Parnell 03/01/2023 Rebuttal Report Page 120 ¶ 270 Restore-00089490, at - 9493-95, -9495, 9496- 9467	Dkt. No. 178	
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Dkt. No. 170-21 Hospital Plaintiff's Exhibit 124 Foreman 1/18/23 Report Page 39 ¶ 117 to Page 44 ¶ 134 510(k) Submission See ECF No. 157	Dkt. No. 178	
	Dkt. No. 170-21 Hospital Plaintiff's Exhibit 124 Foreman 1/18/23 Report Page 41 ¶ 124	Dkt. No. 178	
	Dkt. No. 128-44, 170- 21 Hospital Plaintiff's Exhibit 124 Foreman 01/18/2023 Report Page 43 ¶ 131-132 Restore-00086093, at - 6100.	Dkt. No. 178	

1 2 3 4 5 6 7	Dkt. No. 128-44, 170-21 Hospital Plaintiff's Exhibit 124 Foreman 01/18/2023 Report Page 43 ¶ 131-132 Restore-00086093, at - 6096-6100.	Dkt. No. 178	
8 9 10 11 12 13 14 15	Dkt. No. 128-44, 170-21 Hospital Plaintiff's Exhibit 124 Foreman 01/18/2023 Report Page 44 ¶ 133-134 Restore-00086093, at- 6107-08. May Tr. 17:21- 18:25; 137:23-140:4.	Dkt. No. 178	
16 17 18 19 20 21	Dkt. No. 128-44, 170-21 Hospital Plaintiff's Exhibit 124 Foreman 01/18/2023 Report Page 44 ¶ 133-134 Restore-00086093	Dkt. No. 178	
22 23 24 25 26 27 28	Dkt. No. 170-21 Hospital Plaintiff's Exhibit 124 Foreman 1/18/23 Report Page 46 ¶ 139 (Last Sentence) 510(k) Submission See ECF No. 157	Dkt. No. 178	

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Dkt. No. 170-21 Hospital Plaintiff's Exhibit 124 Foreman 1/18/23 Report Page 56 ¶ 172	Dkt. No. 178	
	Dkt. No. 170-21 Hospital Plaintiff's Exhibit 124 Foreman 1/18/23 Report Page 57 ¶ 175	Dkt. No. 178	
	Dkt. No. 170-21 Hospital Plaintiff's Exhibit 124 Foreman 1/18/23 Report Page 69 ¶ 221	Dkt. No. 178	
	Dkt. No. 170-21 Hospital Plaintiff's Exhibit 124 Foreman 1/18/23 Report Page 76 ¶ 242 510(k) Submission See ECF No. 157	Dkt. No. 178	
	Dkt. No. 170-25 Hospital Plaintiff's Exhibit 130	Dkt. No. 178	

1 2 3 4 5 6	Dkt. No. 170-27 Hospital Plaintiff's Exhibit 137 Deposition of Clifton Parker (October 25, 2022) Pages 139-141	Dkt. No. 178	
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Dkt. No. 170-27 Hospital Plaintiff's Exhibit 137 Deposition of Clifton Parker (October 25, 2022) Page 165	Dkt. No. 178	
	Dkt. No. 170-21 Hospital Plaintiff's Exhibit 124 Foreman 1/18/23 Report Page 39 ¶ 117 to Page 44 ¶ 134 510(k) Submission See ECF No. 157	Dkt. No. 183	
	Dkt. No. 170-21 Hospital Plaintiff's Exhibit 124 Foreman 1/18/23 Report Page 41 ¶ 124	Dkt. No. 183	

1 2 3 4 5 6 7	Dkt. No. 128-44, 170-21 Hospital Plaintiff's Exhibit 124 Foreman 01/18/2023 Report Page 43 ¶ 131-132 Restore-00086093, at - 6100.	Dkt. No. 183	
8 9 10 11 12 13	Dkt. No. 128-44, 170-21 Hospital Plaintiff's Exhibit 124 Foreman 01/18/2023 Report Page 43 ¶ 131-132 Restore-00086093, at - 6096-6100.	Dkt. No. 183	
14 15 16 17 18 19 20 21	Dkt. No. 128-44, 170-21 Hospital Plaintiff's Exhibit 124 Foreman 01/18/2023 Report Page 44 ¶ 133-134 Restore-00086093, at- 6107-08. May Tr. 17:21- 18:25; 137:23-140:4.	Dkt. No. 183	
22 23 24 25 26 27 28	Dkt. No. 128-44, 170-21 Hospital Plaintiff's Exhibit 124 Foreman 01/18/2023 Report Page 44 ¶ 133-134 Restore-00086093	Dkt. No. 183	

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Dkt. No. 170-21 Hospital Plaintiff's Exhibit 124 Foreman 1/18/23 Report Page 46 ¶ 139 (Last Sentence) 510(k) Submission See ECF No. 157	Dkt. No. 183	
	Dkt. No. 170-21 Hospital Plaintiff's Exhibit 124 Foreman 1/18/23 Report Page 56 ¶ 172	Dkt. No. 183	
	Dkt. No. 170-21 Hospital Plaintiff's Exhibit 124 Foreman 1/18/23 Report Page 57 ¶ 175	Dkt. No. 183	
	Dkt. No. 170-21 Hospital Plaintiff's Exhibit 124 Foreman 1/18/23 Report Page 69 ¶ 221	Dkt. No. 183	
	Dkt. No. 170-21 Hospital Plaintiff's Exhibit 124 Foreman 1/18/23 Report Page 76 ¶ 242 510(k) Submission See ECF No. 157	Dkt. No. 183	

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Dkt. No. 170-16 Parnell 03/01/2023 Rebuttal Report Page 120 ¶ 268 Restore-00089490, at - 9493	Dkt. No. 172	
	Dkt. No. 170-16 Parnell 03/01/2023 Rebuttal Report Page 120 ¶ 269 Restore-00089490, at - 9493	Dkt. No. 172	
	Dkt. No. 170-16 Parnell 03/01/2023 Rebuttal Report Page 120 ¶ 270 Restore-00089490, at - 9493-95, -9495, 9496- 9467	Dkt. No. 172	
	Dkt. No. 182-4 Defendant's Reply Brief in Support of Motion of Intuitive to Exclude Testimony of E. Elhauge Page 7	Dkt. No. 185	
	Dkt. No. 182-7 Ex. 13 to Supplemental Declaration of Ashley Bass in Support of Motion to Exclude E. Elhauge Deposition of a (Nov. 3, 2022) Page 50	Dkt. No. 185	

1 2 3 4 5 6 7 8 9	Dkt. No. 187-2 Reply Brief of Intuitive Surgical, Inc. on Cross- Motions for Summary Judgment Page 10	Dkt. No. 190	
10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Dkt. No. 187-3 Cahoy Supplemental Dec. Ex. 96 Deposition of Kevin May (Nov. 3, 2022) Page 60	Dkt. No. 190	

IT IS SO ORDERED.

DATED: _____

By: _____

HON. ARACELI MARTÍNEZ-OLGUÍN
United States District Judge
Northern District of California